

LEGISLATIVE UPDATE

February 15, 2013 | Day 33 of the 105-day legislative session

PugetSoundPartnership
LEADING PUGET SOUND RECOVERY

The Legislative Update is a frequent report distributed throughout the legislative session. Each edition includes an update of legislative activities, as well as a list of specific legislative meetings of interest to the Partnership and our partners. Copies of bills can be found on the Legislature's website at www.leg.wa.gov.

We are a third of the way through the scheduled session and Friday, Feb. 22, is the first cutoff—the last day to read bills in policy committee in the house of origin. Legislators are making a final push to get a public hearing and secure enough votes for their bills to move out of committee. Bills that do not make it past the deadline are considered “dead,” but can be resurrected any time if deemed necessary to implement the budget.

Fiscal and transportation bills are exempt from the upcoming policy cutoff and will receive increased attention as the session progresses. These bills are integral to adopting a balanced budget, which is the most important aspect of the 2013 legislative session. Transportation funding discussions are expanding behind the scenes and a formal proposal from the House is expected later this week.

Overall, several contentious policy debates loom on the horizon between the House and the Senate. Hot topics include: school funding, transportation investments, gun control, taxes, abortion, Medicaid expansion, and workers compensation. For those interested in the art of politics, stay tuned to upcoming floor debates. Senate Republicans have not been in a position to manage and control the flow of legislation since 2004 and it will be interesting to see what the Senate Majority Coalition Caucus (23 Republicans/2 Democrats) will choose to focus on.

Board members support priority investments for Puget Sound

The Partnership and our many partner organizations are working together to educate legislators about the highest-priority investments that will restore the health of Puget Sound.

For those interested in learning more, fact sheets are available for the following priorities:

- **Steelhead recovery planning:** \$800,000 to help identify the major threats that are reducing juvenile steelhead marine survival rates and \$1.2 million to develop steelhead recovery plans for 12 local watersheds that lack recovery plans. (*Operating Budget - Puget Sound Partnership*)

2013 SESSION AT A GLANCE

Length: 105 days. If necessary, the Governor can call for a 30-day special session. Legislators can call themselves into special session with a two-thirds vote.

Next Cutoff: Friday, Feb. 22 is the last day to read bills in the house of origin, except for fiscal and transportation committees.

Information:

- For up-to-date legislative information, visit: www.leg.wa.gov
- To watch or listen to a legislative hearing, visit: www.tvw.org
- For both current and previous copies of the Legislative Update, visit: www.psp.wa.gov

Communication and Coordination:

If you are planning to testify on a bill, meet with legislators, or would like assistance with state legislative issues regarding Puget Sound priorities—please contact:

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- **Levee vegetation, floodplain restoration:** \$635,000 to fund two watershed pilot demonstration projects in King and Whatcom counties to help guide the development of prioritized capital projects focused on reducing flood risk and restoring floodplain and riparian habitat functions. (*Operating Budget - Puget Sound Partnership*)
- **Puget Sound Acquisition & Restoration fund and Salmon Recovery Funding Board:** \$80 million to fund the most important, science-based, locally prioritized projects to restore Puget Sound habitat. Salmon recovery grants help replace barriers to fish migration, replant stream banks and remove dikes and levees, as well as create and purchase pristine habitat. Project sponsors are required to contribute to the cost of the program — leveraging local and state investments. (*Capital Budget - Recreation and Conservation Office*)
- **Puget Sound Estuary & Salmon Restoration Program:** \$10 million to provide funding and technical assistance for restoration and protection of Puget Sound beaches, bays and river deltas. This program leads to healthy habitat for salmon by ensuring that shorelines are intact, functioning naturally and resilient to climate change. (*Capital Budget - Recreation and Conservation Office*)

Gov. Inslee unveils \$120 million jobs plan

On Wednesday, Feb. 13, Gov. Jay Inslee rolled out his “[Working Washington Agenda](#)” to create jobs and sustain a thriving economic climate in every corner of Washington state. Initial priorities focus on investing in clean energy and climate solutions, and addressing the long-standing challenge of inadequate water supplies in the Yakima River Basin. Although funding for Puget Sound restoration priorities was not emphasized in this initial proposal, it is important to know this is the first of a series of budget recommendations that will come from the Governor’s Office.

Legislation Pertinent to Puget Sound

STORMWATER

Prioritizing stormwater funding: Sen. Rivers recently introduced a companion ([Senate Bill 5441](#)) to Rep. Pike’s [House Bill 1235](#), which would prioritize funding the municipal stormwater permits from all funds appropriated by the Legislature, including the State Toxics Control Account and the Local Toxics Control Account. The Partnership has concerns for this bill because it would disrupt the existing flexibility to invest in the multi-faceted solutions needed to prevent, manage and clean up polluted stormwater runoff. We continue to work with our partners to create a balanced, long-term, stable funding solution. House Bill 1235 has not been scheduled for executive session and Senate Bill 5441 is scheduled for a public hearing on Tuesday, Feb. 19, in the Senate Energy, Environment and Telecommunications Committee.

Delaying new stormwater requirements: [Senate Bill 5326](#), which would delay Phase I municipal stormwater permits, has not moved out of the Energy, Environment and Telecommunication Committee. The Partnership, Department of Ecology and Washington Environmental Council signed in opposition at the

Feb. 5 hearing. The Washington State Association of Counties signed in support the bill on behalf of Clark County. However, we have heard from partners that not all counties share the same support for delaying the permit.

HABITAT

Land acquisitions: [Senate Bill 5054](#), which would require several natural resource agencies to request and receive approval from the Legislature prior to acquiring certain types of land, is scheduled for public hearing in the Senate Ways and Means Committee on Wednesday, Feb. 20. Concerns continue to be expressed that this bill would hinder existing land acquisition processes and restrict the flexibility needed to take advantage of market opportunities. Legislators continue working with stakeholders to make improvements as the bill moves forward.

Designated agricultural lands: On Tuesday, Feb. 12, the Partnership and other stakeholders met with Sen. Hobbs to further discuss our opposition to his bill, [Senate Bill 5276](#), which would require any public entity purchasing designated agricultural land to retain that land for future agricultural use. We appreciate Sen. Hobbs' willingness to listen to the concerns expressed by several other stakeholders. We believe working farms and forests are an integral part of our region's economy and ecosystem. However, we oppose this legislation because it would impede the ongoing collaborative actions between public and private landowners working together to protect the most viable agricultural land and implement the highest-priority habitat restoration projects throughout Puget Sound.

Relationships between agricultural producers and regulators: A new bill, [Senate Bill 5766](#), was introduced Thursday, Feb. 14, and is scheduled for a hearing on Tuesday, Feb. 18. This legislation would direct the Conservation Commission to initiate a forum between state regulatory agencies and agricultural producers to recommend improvements to policies, procedures and practices. The desired outcome of this legislation is similar to broader, ongoing conversations between state agencies, landowners and tribes to balance natural resource protection with the needs of working lands. You can watch a legislative work session in December to get a sense of the many related issues: www.tvw.org/index.php?option=com_tvwplayer&eventID=2012110068

SHELLFISH

Ocean acidification: On Thursday, Feb. 14, the Energy, Environment & Telecommunications Committee held a public hearing on [Senate Bill 5547](#), regarding ocean acidification. Sen. Ranker proposed this legislation to address ocean acidification in a comprehensive manner throughout all marine waters—including the coast, Puget Sound and Strait of Juan De Fuca. The Partnership supports the implementation of the Blue Ribbon Panel's recommendations, as well as the \$3.3 million included in Gov. Gregoire's proposed budget for implementation.

Shellfish aquaculture: On Thursday, Feb. 14, Rep. Seaquist introduced [House Bill 1894](#), regarding shellfish aquaculture research. The bill would establish a shellfish aquaculture public information center and help implement several near-term actions identified in the Puget Sound [Action Agenda](#). The proposed center would serve as the information clearinghouse for aquaculture research, activities and regulations. This

bill replaces [House Bill 1761](#), concerning shellfish aquaculture, and a public hearing is scheduled for Wednesday, Feb. 20, in the House Agriculture & Natural Resources Committee.

Marine aquaculture facilities: On Friday, Feb. 15, the House Local Government Committee held a work session on marine aquaculture and a public hearing on [House Bill 1599](#), which would allow local control to site or prohibit marine aquaculture net pen facilities. The legislation stems from recently proposed bans on net pen aquaculture in shoreline master program updates adopted by Whatcom and Jefferson counties. The Shoreline Management Act governs the use of state shorelines and defines aquaculture as one of several dependent and preferred uses. Ecology is working with these jurisdictions to promote a scientific determination about where aquaculture may or may not be locally appropriate. Meanwhile, policy discussions in the Local Government Committee ranged from state vs. local control, to restricting new aquaculture facilities. Watch the Feb. 15 public hearing for HB 1599 on TVW's website: www.tvw.org/index.php?option=com_tvwplayer&eventID=2013020156

TOXICS

Derelict vessels: A substitute version of [House Bill 1245](#), regarding derelict and abandoned vessels in state waters, was voted out of the House Agriculture & Natural Resources Committee on Thursday, Feb. 14. That same day, the Senate Natural Resources & Parks Committee held a work session and public hearing on legislation with similar intent ([Senate Bill 5663](#)). Todd Hass, manager of the Partnership's oil spill work group, testified in support of the House and Senate bills. The Partnership continues to advocate for the Derelict Vessel Removal Program to receive the funding necessary to expedite the removal of older, larger, more expensive ships. We are also working with partners to find innovative ways to incentivize the disposal of derelict vessels. Watch highlights of the Feb. 14 hearing on TVW's website: http://www.tvw.org/index.php?option=com_tvwplayer&eventID=2013021148-start=3600&stop=4247

Model Toxics Control Account (MTCA): A revised version of [Senate Bill 5296](#), concerning the Model Toxics Control Act, passed out of the Senate Energy, Environment & Telecommunications Committee and was referred to the Senate Ways & Means Committee where it will be part of the broader, ongoing budget discussions. The proposed legislation revises the uses of state and local toxics control account funding and provides uncertain revenue for important functions supported by voters related to preventing and reducing toxics substances, and managing hazardous and solid waste. We strongly support the intent of the effort to prioritize funding and expedite the cleanup of polluted sites, but continue to have concerns about how investments would be allocated and managed under this new paradigm. We support a comprehensive interim review of MTCA funds to advance the highest priorities and implement the most cost effective strategies to protect and cleanup Puget Sound.

Brownfields: Sen. Ranker's proposal, [Senate Bill 5201](#), accelerating cleanup of hazardous waste sites, unanimously passed out of the Senate Energy, Environment & Telecommunications Committee on Wednesday, Feb. 13. This bill is a carry-over from last year's proposal based on the "Brownfields" study and would provide for local authority to establish brownfield redevelopment districts in order to pull together multiple small cleanup sites into one redevelopment district. The Partnership strongly supports this proposal to make toxic sites more competitive for funding and get cleaned up more efficiently.

ECONOMIC DEVELOPMENT

Urban economic revitalization: [House Bill 1648](#), aimed at providing for community economic revitalization in incorporated areas, was recently introduced to replace an earlier bill, [House Bill 1079](#). The bill would authorize loans for municipalities to finance public facilities improvements that encourage revitalization of vacant and abandoned properties in incorporated areas. A similar proposal was introduced in the Senate, [Senate Bill 5533](#), by Sen. Rolfes and received a public hearing in the Senate Trade & Economic Development Committee on Thursday, Feb. 14. The Partnership supports both versions of these bills.

Working waterfronts: Sen. Ranker's "working waterfront redevelopment jobs act," received a public hearing on Wednesday, Feb. 13. [Senate Bill 5545](#) would create a voluntary approach to provide regulatory relief from some state and local processes involving the redevelopment of waterfront. It also serves as a mechanism to create jobs and restore shoreline habitat. There is broad support for the intent of this proposal, however concerns have been expressed that the Department of Fish & Wildlife lacks the expertise necessary to implement the bill and there would be unintended consequences from preempting local land use regulations.

Upcoming Legislative Hearings

Monday, Feb. 18

10 a.m. Senate Agriculture, Water & Rural Economic Development; Public Hearing:

[Senate Bill 5766](#) - Improving relationships between agricultural producers and state regulatory staff. (If measure is referred to committee.)

Tuesday, Feb. 19

8 a.m. House Committee on Government Operations & Elections; Public Hearing;

[House Bill 1591](#) - Improving the business climate and stimulating job creation by requiring certain agencies to establish a formal review process of existing rules.

8 a.m. House Environment; Public Hearing:

[House Bill 1415](#) - Allowing hydroelectric energy generation on irrigation district facilities to qualify for renewable energy credit.

8 a.m. Senate Trade & Economic Development; Public Hearing:

[Senate Bill 5679](#) - Improving the business climate and stimulating job creation by requiring certain agencies to establish a formal review process of existing rules.

10 a.m. House Agriculture & Natural Resources; Work Session and Public Hearing:

- The State of our Watersheds Northwest Indian Fisheries Commission.
- [House Bill 1924](#) - Concerning watershed planning grants.

10 a.m. House Technology & Economic Development; Public Hearing:

[House Bill 1818](#) - Promoting economic development through business and government streamlining projects.

1:30 p.m. Senate Energy, Environment & Telecommunications; Public Hearing:

- [Senate Bill 5435](#) - Regarding the creation of a stormwater compliance project.
- [Senate Bill 5441](#) - Prioritizing state investments in stormwater control.
- [Senate Bill 5658](#) - Concerning mercury-containing lights.

1:30 p.m. Senate Natural Resources & Parks; Public Hearing:

- [Senate Bill 5702](#) - Concerning aquatic invasive species.
- [Senate Bill 5596](#) - Regarding certain lake management activities on lands owned by the State of Washington.

1:30 p.m. House Local Government; Public Hearing:

[House Bill 1848](#) – Permitting school siting outside of urban growth areas.

5:30 p.m. Senate Trade & Economic Development; Public Hearing:

[Senate Bill 5765](#) – Promoting economic development through business and government streamlining projects.

Wednesday, Feb. 20

8 a.m. Senate Energy, Environment & Telecommunications; Public Hearing:

- [Senate Bill 5603](#) - Establishing the Washington Coastal Marine Advisory Council.
- [Senate Bill 5769](#) - Adding electricity from hydroelectric generation projects with a generating capacity of 30 megawatts or less that do not impede migrating fish to the definition of an eligible renewable resource for the purposes of chapter 19.285 RCW.
- [Senate Bill 5802](#) - Developing recommendations to achieve the state's greenhouse gas emissions limits.

8 a.m. House Agriculture & Natural Resources; Public Hearing:

[House Bill 1894](#) - Concerning shellfish aquaculture research.

3:30 p.m. Senate Ways & Means; Public Hearing:

- [Senate Bill 5054](#) - Establishing a process for the acquisition of habitat and recreation lands by the state.
- [Substitute Senate Bill 5201](#) - Accelerating cleanup of hazardous waste sites.
- [Substitute Senate Bill 5296](#) - Concerning the Model Toxics Control Act.

6 p.m. Legislative Audit & Review Committee, Joint

Puget Sound Partnership's 2012 Action Agenda Update: Revised Approach Continues to Lack Key Accountability Tools Envisioned in Statute (Briefing Report)

Thursday, Feb. 21

No key Puget Sound-related public hearings scheduled at this time.

Friday, Feb. 22

No key Puget Sound-related public hearings scheduled at this time.

Saturday, Feb. 23

9 a.m. House Appropriations Subcommittee on General Government; Public Hearing:

[House Bill 1188](#) - Creating a focused effort on re-establishing a rural agricultural economy in Western Washington by making investments aimed at returning under-producing land back into a state of active agricultural production.

Additional Information

How to access a bill:

- <http://apps.leg.wa.gov/billinfo>
You can access detailed information about legislation by entering a specific bill number or searching by topic.

How to find legislative committee members and meeting agendas:

- <http://www.leg.wa.gov/legislature/pages/committeelisting.aspx>

How to find your Legislators and contact them:

- Senate: <http://www.leg.wa.gov/Senate>
- House of Representatives: www.leg.wa.gov/House

Bill	Comp. Bills	Title	Latest Cmte Mtg Info	Sponsor
KEY PUGET SOUND BILLS				
HB 1052	SB 5610	Sewer systems in urban areas	Jan. 22 Public hearing in the House Committee on Local Government at 1:30 p.m.	Angel
HB 1104		Upfront environment planning	Jan. 24 Public hearing in the House Committee on Local Government at 8 a.m.	Fitzgibbon
HB 1163		Administrative procedures	Feb. 12 Public hearing in the House Committee on Government Operations & Elections at 8 a.m.	Taylor
SHB 1188		Under-producing ag land	Feb. 23 Scheduled for public hearing in the House Committee on Appropriations Subcommittee on General Government at 9 a.m. (Subject to change)	Lytton
HB 1194		Habitat project liability	Feb. 5 Executive action taken in the House Committee on Judiciary at 10 a.m.	Stanford
HB 1234		Storm water reqs, phase I		Pike
HB 1235	SB 5441	Storm water control	Jan. 30 Public hearing in the House Committee on Environment at 1:30 p.m.	Pike
HB 1237	SB 5435	Storm water compliance	Jan. 30 Public hearing in the House Committee on Environment at 1:30 p.m.	Pike
HB 1245		Derelict & abandoned vessels	Feb. 14 Executive action taken in the House Committee on Agriculture & Natural Resources at 1:30 p.m.	Hansen
HB 1277		Conservation easements/tribes	Feb. 5 Executive action taken in the House Committee on Community Development and Housing & Tribal Affairs at 10 a.m.	Sawyer
HB 1294	SB 5181	Flame retardants	Feb. 14 Executive action taken in the House Committee on Environment at 10 a.m.	Van De Wege
HB 1350		Growth and water resources	Feb. 21 Scheduled for executive session in the House Committee on Agriculture & Natural Resources at 1:30 p.m. (Subject to change)	Chandler
HB 1364	SB 5457	Small rechargeable batteries	Feb. 19 Scheduled for executive session in the House Committee on Environment at 8 a.m. (Subject to change)	Tharinger
HB 1384		Natural resources management		Orcutt
HB 1401	SB 5399	Growth mgmt. act/penalties	Feb. 7 Public hearing in the House Committee on Local Government at 8 a.m.	Fitzgibbon
HB 1415	SB 5290	Hydroelectric generation	Feb. 19 Scheduled for public hearing in the House Committee on Environment at 8 a.m. (Subject to change)	Haler
HB 1434		Environmental decision-making	Feb. 14 Public hearing in the House Committee on Environment at 10 a.m.	Pollet
HB 1444		Household mercury lights	Feb. 7 Public hearing in the House Committee on Environment at 10 a.m.	Hunt
HB 1478		Rule making, suspension of		Orcutt

HB 1570	SB 5593	Property tax exemption claims	Feb. 19 Scheduled for executive session in the House Committee on Finance at 6 p.m. (Subject to change)	Kretz
HB 1579	SB 5424	Paint stewardship		Goodman
HB 1599	SB 5623	Marine aquaculture	Feb. 15 Public hearing in the House Committee on Local Government at 1:30 p.m.	Van De Wege
HB 1600		Small forest landowners		Orcutt
HB 1648		Cmty economic revitalization	Feb. 13 Executive action taken in the House Committee on Community Development and Housing & Tribal Affairs at 8 a.m.	Appleton
HB 1682		Up-front enviro planning		Fitzgibbon
HB 1717		Up-front enviro planning	Feb. 15 Public hearing in the House Committee on Local Government at 1:30 p.m.	Fitzgibbon
HB 1761		Shellfish aquaculture		Seaquist
HB 1794		Shoreline development permits		Moscoso
HB 1848		School siting	Feb. 19 Scheduled for public hearing in the House Committee on Local Government at 1:30 p.m. (Subject to change)	Springer
SB 5054		Habitat and recreation lands	Feb. 20 Scheduled for public hearing in the Senate Committee on Ways & Means at 3:30 p.m. (Subject to change)	Honeyford
SSB 5057		Land acquired w/public funds	Feb. 7 Executive action taken in the Senate Committee on Natural Resources & Parks at 1:30 p.m.	Ericksen
SB 5181	HB 1294	Flame retardants	Feb. 13 Public hearing in the Senate Committee on Energy and Environment & Telecommunications at 8 a.m.	Nelson
SSB 5201		Hazardous waste site cleanup	Feb. 20 Scheduled for public hearing in the Senate Committee on Ways & Means at 3:30 p.m. (Subject to change)	Ranker
SB 5254		Salmon & steelhead spawning		Chase
SB 5255		Environment quality & health		Chase
SB 5276		Designated agricultural land	Feb. 5 Public hearing in the Senate Committee on Agriculture and Water & Rural Economic Development at 10 a.m.	Hobbs
SSB 5290	HB 1415	Hydroelectric generation	Feb. 13 Executive action taken in the Senate Committee on Energy and Environment & Telecommunications at 8 a.m.	Delvin
SB 5295		Shoreline mgmt act/permits		Ericksen
SSB 5296		Model toxics control act	Feb. 20 Scheduled for public hearing in the Senate Committee on Ways & Means at 3:30 p.m. (Subject to change)	Ericksen
SB 5326		Storm water requirements	Feb. 5 Public hearing in the Senate Committee on Energy and Environment & Telecommunications at 1:30 p.m.	Rivers
SB 5348		Chemicals and public health		Nelson

SB 5424	HB 1579	Paint stewardship	Feb. 14 Public hearing in the Senate Committee on Energy and Environment & Telecommunications at 1:30 p.m.	Chase
SB 5435	HB 1237	Storm water compliance	Feb. 19 Scheduled for public hearing in the Senate Committee on Energy and Environment & Telecommunications at 1:30 p.m. (Subject to change)	Cleveland
SB 5441	HB 1235	Storm water control	Feb. 19 Scheduled for public hearing in the Senate Committee on Energy and Environment & Telecommunications at 1:30 p.m. (Subject to change)	Rivers
SB 5457	HB 1364	Small rechargeable batteries	Feb. 13 Public hearing in the Senate Committee on Energy and Environment & Telecommunications at 8 a.m.	Nelson
SB 5545		Working waterfront redevelopment	Feb. 14 Public hearing in the Senate Committee on Energy and Environment & Telecommunications at 1:30 pm.	Ranker
SB 5547		Ocean acidification	Feb. 13 Public hearing in the Senate Committee on Energy and Environment & Telecommunications at 8 a.m.	Ranker
SB 5603		Coastal marine adv. council	Feb. 20 Scheduled for public hearing in the Senate Committee on Energy and Environment & Telecommunications at 8 a.m. (Subject to change)	Hatfield
SB 5610	HB 1052	Sewer systems in urban areas		Benton
SB 5623	HB 1599	Marine aquaculture		Hargrove
SB 5658		Mercury-containing lights	Feb. 19 Scheduled for public hearing in the Senate Committee on Energy and Environment & Telecommunications at 1:30 p.m. (Subject to change)	Ericksen
SB 5663		Derelict & abandoned vessels	Feb. 14 Public hearing in the Senate Committee on Natural Resources & Parks at 1:30 p.m.	Pearson
SB 5702		Aquatic invasive species	Feb. 19 Scheduled for public hearing in the Senate Committee on Natural Resources & Parks at 1:30 p.m. (Subject to change)	Honeyford
BUDGET				
HB 1057	SB 5034	Operating budget 2013-2015	Jan 15 Public hearing in the House Committee on Appropriations at 3:30 PM.	Hunter
HB 1058	SB 5033	Operating sup budget 2013	Jan. 15 Public hearing in the House Committee on Appropriations at 3:30 p.m.	Hunter
HB 1088	SB 5036	State gen. obligation bonds	Jan. 28 Public hearing in the House Committee on Capital Budget at 1:30 p.m.	Dunshee
HB 1089	SB 5035	Capital budget 2013-2015	Jan. 28 Public hearing in the House Committee on Capital Budget at 1:30 p.m.	Dunshee
HB 1864	SB 5024	Trans budget 2011-13/2013-15		Clibborn
SB 5024	HB 1864	Trans budget 2011-13/2013-15		King
SB 5033	HB 1058	Operating sup budget 2013		Hill
SB 5034	HB 1057	Operating budget 2013-2015		Hill
SB 5035	HB 1089	Capital budget 2013-2015		Honeyford
SB 5036	HB 1088	State gen. obligation bonds	Jan. 22 Public hearing in the House Committee on Local Government at 1:30 p.m.	Honeyford